CF 100/T 3

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 3162/2003

PETITIONER : Ram Kumar Patel S/o Sant Ram Patel, Aged about 40 years, R/o Gevra Ghat, Ward No.11, Saket Nagar, Korba (CG).

VERSUS

RESPONDENTS :

1) State of Chhattisgarh Through the Secretary, Tribal Welfare Department, D.K.S. Bhawan, Raipur (CG).

2) The Commissioner, Tribal Welfare Department, Chhattisgarh, Raipur (CG).

3) Block Education Officer, Block Korba, Distt.Korba (CG).

P.R. No. 3162 Presented by Shri Goutam Khetrapal dated 29.09.03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 3162 सन् 2003

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	23.02.2004 Shri P. Diwaker, counsel for the petitioner. Shri Ranbir Singh, Govt. Advocate for the State on advance copy. Application (I.A.No.9311/2003) for urgent hearing is allowed. Heard. Ten days time was granted to learned State counsel on 29.10.2003 to file the return. Shri Diwaker submits that although 3 months have passed, return has not yet been filed. It is a transfer matter. He further referred to Annexure P-2 dated 23.09.2003 and submits that the concerned Head Master has also recommended for the cancellation of petitioner's transfer on the ground that his transfer will reduce the strength of the teachers and this will affect the functioning of the school. Having considered the facts and circumstances of the case, material on record and the document dated 23.09.2003 (Annexure P-2) without expressing the merits of the case, ends of justice will be served if a direction is given to the petitioner to make a detailed representation along with copy of this order and petition, before the competent authority / respondents herein, within 15 days. On such representation being filed, it	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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	shall be considered and decided by the respondents/competent authority on its own merits in accordance with law as early as possible preferably within 2 months thereafter. During this period learned counsel for the petitioner prays for stay. Learned State counsel is not in a position to state whether the petitioner has been relieved or not. If the petitioner is not relieved, he may be allowed to continue as such till the disposal of the representation. With the direction aforesaid, this petition stands disposed of. Accordingly, M.W.P.No.2888/2003 stands disposed of. Sd/- Fakhruddin Judge	